

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Revenue Department - Allegation of corruption against Sri Battu Vasantha Rao, S/o. Sri Pullaiah, age:40 years, Village Revenue Officer, Degapudi Revenue Village, Podalakur Mandal, SPSR Nellore District – Trapped on 15-05-2009 – Sanction of Prosecution – Orders – Issued.

REVENUE (VIGILANCE-VII) DEPARTMENT

G.O.Ms.No. 58

Dated:25-01-2010.

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ORDER:

1) Whereas, Sri Battu Vasantha Rao, S/o. Sri Pullaiah, age:40 years worked as Village Revenue Officer, Degapudi Revenue Village, Podalakur Mandal, SPSR Nellore District from 01-07-2002 to 15-05-2009 and by virtue of the post held by him, he falls under the category of public servant as defined under section 2 (c) of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

2) And whereas, Sri Vanipenta Adisesha Reddy, S/o. Sri Venkata Subba Reddy, age:32 years, native of Degapudi Village, Podalakur Mandal, SPSR Nellore District is the complainant herein;

3) And whereas, it is alleged that on 11-05-2009 at about 17:30 hours, the complainant Sri Vanipenta Adisesha Reddy, S/o. Sri Venkata Subba Reddy, age:32 years, native of Degapudi Village, Podalakur Mandal, SPSR Nellore District approached the Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore Range, Nellore and gave a report against Sri Battu Vasantha Rao alleging that he is a farmer and native of Degapudi Village, Podalakur Mandal, SPSR Nellore District. His father gifted 2 acres of dry land and 23 ½ cents of wet land at Degapudi Village and the same was registered in the name of Sri V.Adisesha Reddy at Sub-Registrar Office, Podalakur on 02-04-2008 vide Regd.Doc.No.495/2008. On 31-10-2008, Sri V.Adisesha Reddy submitted an application to the Tahsildar, Podalakur Mandal for issuing pattadar pass books for the above mentioned land. On the same day, Tahsildar endorsed the said application to Sri Battu Vasantha Rao, for preparing of pass books. Sri V. Adisesha Reddy met Sri Battu Vasantha Rao several times and requested him for issuing pattadar pass books to him. Sri Battu Vasantha Rao repeatedly told Sri V.Adisesha Reddy that empty pass books are not available and he would do his work after getting pattadar pass books. In the month of April, 2009, when Sri V.Adisesha Reddy met Sri Battu Vasantha Rao, he told him that empty pattadar pass books are received at Tahsildar's Office and that he would get the pass books ready after the elections and told

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Sri V.Adishesha Reddy to meet him after the general elections. On 09-05-2009, at about 01:00 P.M., Sri V. Adishesha Reddy met Sri Battu Vasantha Rao at his private office room at Podalakur and enquired about his pass books. Sri Battu Vasantha Rao, gave two written statements to Sri V.Adishesha Reddy and told Sri V.Adishesha Reddy to get those statements signed by the Village Sarpanch and some elders of Degapudi Village and to see him with the above statements and bribe of Rs.3,500/- in order to do his work. Sri V. Adishesha Reddy told Sri Battu Vasantha Rao that he cannot afford to pay the bribe amount and requested him to do his work, but Sri Battu Vasantha Rao insisted for payment of the demanded bribe amount and told Sri V.Adishesha Reddy that if the bribe amount was not paid, his work will not be done. On 11-05-2009 at about 02:00 P.M., Sri V.Adishesha Reddy again met Sri Battu Vasantha Rao at Tahsildar's Office at Podalakur and handed over him the two statement papers. Sri Battu Vasantha Rao asked Sri V.Adishesha Reddy about the demanded bribe amount, for which Sri V.Adishesha Reddy told him that he cannot afford to pay that much of amount and requested him to issue pass books. Sri Battu Vasantha Rao finally reduced the bribe amount to Rs.3,000/- and told Sri V.Adishesha Reddy that unless and until, that amount was paid to him, he will not issue pass books and also told Sri V.Adishesha Reddy that he was having only two pass books with him and if the bribe amount was not paid, he would issue those pass books to some others. Sri V.Adishesha Reddy, though not willing to pay bribe, had no other go and agreed to pay the bribe amount as demanded by Sri Battu Vasantha Rao;

4) And whereas, it is further alleged that Sri Vanipenta Adishesha Reddy, who was not willing to pay the bribe to Sri Battu Vasantha Rao, Village Revenue Officer, Degapudi Revenue Village, Podalakur Mandal, SPSR Nellore District approached the Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore and gave a report. The Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore registered a case in Cr.No.9/RCT-NLR/09 after due verification. On 15-02-2009 at 10:30 hours in an arranged trap, the Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore along with other Inspectors, his staff, two mediators and complainant proceeded to Podalakur and on contact by Sri V.Adishesha Reddy, Sri Battu Vasantha Rao, asked him to reach his private room and wait there. Sri Battu Vasantha Rao came to his private room at 11:30 A.M., and opened the room. Sri V.Adishesha Reddy handed over the statements to Sri Battu Vasantha Rao and on that Sri Battu Vasantha Rao asked him whether the demanded bribe amount was brought, on that Sri V.Adishesha Reddy told affirmatively. Sri Battu Vasantha Rao asked him to wait for some time. Sri Battu Vasantha Rao attended to the work of the Sarpanch of Degapudi Village and two others. After some time they went away and only Sri Battu Vasantha Rao and Penchalaiah were present. Then, Sri Battu Vasantha Rao took Sri V.Adishesha Reddy out of his private office room and demanded for payment of bribe amount and on that Sri V.Adishesha Reddy took out the

tainted currency notes from his inner shirt pocket and handed over to Sri Battu Vasantha Rao, who received the same with his right hand, counted the same with his both hands and kept the amount in the left side pocket of his pants and told him that he would get the pass books ready by Monday and asked Sri V. Adishesha Reddy to see him on Monday. Sri V. Adishesha Reddy, immediately came on the road in front of the said room and gave the pre-arranged signal by wiping his face thrice with his handkerchief. Immediately, the Deputy Superintendent of Police, Anti-Corruption Bureau along with the trap team went to the private office room of Sri Battu Vasantha Rao and asked Sri V. Adishesha Reddy standing on the road in front of the said office to stay there until he was called in. The Deputy Superintendent of Police, Anti-Corruption Bureau along with the team entered into the private office room of the accused officer and found Sri Battu Vasantha Rao sitting on the mat. The Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore got prepared sodium carbonate solution in two glass tumblers and subjected the both hand fingers of Sri Battu Vasantha Rao to the chemical test and the same yielded positive result. Sri Battu Vasantha Rao voluntarily took out a wad of currency notes from his left side pocket of his wearing pants. The 2nd mediator received the amount from Sri Battu Vasantha Rao and counted the same and compared the numerical numbers of the notes with that of the numbers already recorded in pre-trap proceedings and found tallied. The Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore seized the said amount of Rs.3,000/-. The chemical test over the pants of Sri Battu Vasantha Rao also yielded positive result. The Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore seized the following documents from Sri Battu Vasantha Rao pertaining to the pending work of the complainant:- 1) Representation of the complainant, addressed to the Mandal Revenue Officer, Podalakur and endorsement to the Village Revenue Officer, Degapudi for verifying the records and preparing pass books. It was dated 31-10-2008; 2) Photostat copy of registered document No.495/2008 dt.02-04-2008; 3) statement of Sri V. Adishesha Reddy, S/o. Venkata Subba Reddy, dt.07-05-2009 written in Telugu; 4) Statement of neighbouring farmers, written in Telugu dt.07-05-2009 for further proceedings. Sri Battu Vasantha Rao was arrested by the Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore after explaining the grounds of his arrest. The above proceedings were reduced into writing in the form of Mediator's Report No.2, in detail;

5) And whereas, the aforesaid acts of Sri Battu Vasantha Rao, S/o. Sri Pullaiah, aged:40 years, Village Revenue Officer, Degapudi Revenue Village, Podalakur Mandal, SPSR Nellore District constitute offences punishable under section 7 and section 13 (2) readwith section 13 (1) (d) of the Prevention of Corruption Act, 1988 (Act 49 of 1988).

6) And whereas, the Government of Andhra Pradesh being the competent authority to remove the said Sri Battu Vasantha Rao, S/o. Sri Pullaiah, age:40 years, Village Revenue Officer, Degapudi

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Revenue Village, Podalakur Mandal, SPSR Nellore District from office after fully and carefully examining the material viz., copy of FIR, copies of statements of witnesses, copies of documents and mediator reports and other material placed before them, in regard to the said allegations and having regard to the facts and circumstances of the case, consider that the said Sri Battu Vasantha Rao, S/o. Sri Pullaiah, aged 40 years, Village Revenue Officer, Degapudi Revenue Village, Podalakur Mandal, SPSR Nellore District should be prosecuted in a Court of law for the aforesaid offences.

7) Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988), Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri Battu Vasantha Rao, S/o. Sri Pullaiah, age 40 years, Village Revenue Officer, Degapudi Revenue Village, Podalakur Mandal, SPSR Nellore District for the offences punishable under section 7 and Section 13 (2) read with section 13 (1) (d) of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti-Corruption Bureau,
A.P., Hyderabad.

// FORWARDED BY ORDER //

SECTION OFFICER